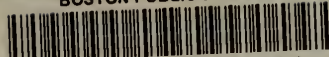


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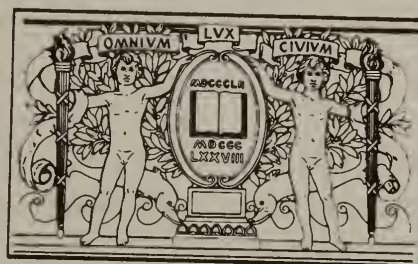


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A RUDIMENTARY ANALYSIS OF THE BACK BAY
DEVELOPMENT/ZONING QUESTION

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B.R.A. Urban Design Department, October 1, 1969

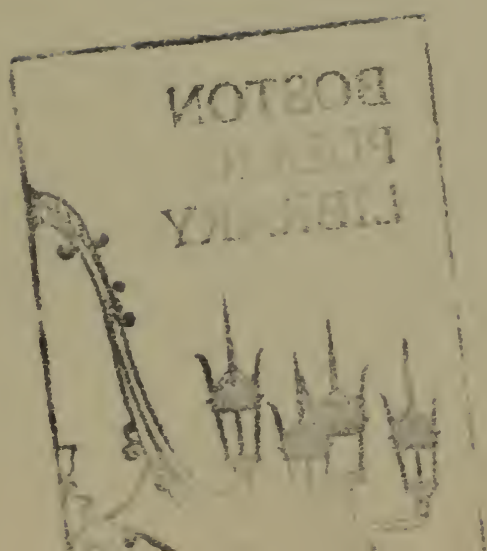
A. BASIC ASSUMPTIONS

1. The highly recognizable Back Bay residential and commercial area is bounded by Arlington Street, Boylston Street, Charlesgate East, and the Charles River.
2. (a) This area is characterized by a distinctive and homogeneous architectural treatment of facades and building massing.

(b) This area has been provided with a distinctive and carefully designed public framework - street widths, building setbacks, height controls, and public open space (the Public Garden, the Commonwealth Avenue Mall, and most recently the Dartmouth Street Mall and Copley Square).

(c) The architectural and urban design characteristics described in (a) and (b) are widely judged to be of high quality and worthy of retention in their entirety.
3. This area is widely considered to be highly desirable for in-town residential use due to its high quality of design and amenity, and due to its excellent accessibility to Downtown and the concentration of office/commercial space between Boylston Street and the South End.





B. TWO PREVALENT ATTITUDES TOWARD DEVELOPMENT IN THE
BACK BAY

1. The approach to development planning in the Back Bay has been characterized by two attitudes which seem contradictory.

(a) There is a strong desire to preserve the Back Bay as an elegant residential area, maintaining its existing form and building facades. Definite steps have been taken to give teeth to this desire: the Architectural Commission has been formed and the Zoning Ordinance is under serious discussion.

(b) There exists a belief that new development is necessary to strengthen and stimulate conservation of the residential area of the Back Bay. New development is sought after and promoted as an agent that will effect the revitalization of the area. This attitude is combined with a seemingly unquestioning acceptance of the standard cry of the developer that anything other than what he desires is "economically unfeasible." (A more realistic assumption is that "maximization of profits" is the name of the game, and that the developer starts high expecting to be negotiated down.)

2. These contradictory attitudes, one based on a desire to preserve the historic excellence of the Back Bay, and the other based on a desire to stimulate intense commercial development (primarily along Boylston Street) and to encourage the development of apartment towers (now on Beacon Street and, a few years ago, on Commonwealth Avenue) have resulted in a stalemate in which little is being developed and/or preserved. We must reconcile these desires by expressing one clear-cut policy indicating our attitude toward both new development and preservation.

C. A DISCUSSION OF SUPPLY AND DEMAND FOR RESIDENTIAL
UNITS IN THE BACK BAY

Many arguments have been presented both pro and con regarding high rise development on Beacon Street in the Back Bay. All arguments assume that rehabilitation of most of the existing building stock is a prerequisite for the restoration and conservation of the Back Bay - a goal which all parties seem to share.

The most crucial contention involved is one which centers around the forces which motivate high quality rehabilitation.

Position A postulates that the creation of several, new luxury (\$100,000 to \$200,000/unit) condominium units in high rise (300' tall) towers is the catalyst necessary to cause the return of the upper middle class to the Back Bay. This high-rise construction (justified by a "market study" indicating the demand for several hundred luxury 2,3, and 4 bedroom units) presumably will cause the regeneration and restoration of the many single town houses which comprise the physical structure of most of the area.

Position B hypothesizes the reverse situation: that new luxury unit high-rise construction will inhibit or stop the rehabilitation of the existing stock, and will ultimately result in pressures to build higher everywhere. One owner after another will claim economic hardship as any new construction will immediately absorb the luxury housing demand, which is a steady but slowly materializing demand. The way to encourage the necessary rehabilitation is to limit new construction on Beacon Street to existing heights (90 feet) while channeling new high rise construction elsewhere.

We hold position B and offer the logic necessary to reach our conclusion. Our argument proceeds as follows:

1. It is necessary to identify the source of the demand for new dwellings. There exist three rough classifications into which housing demand in the Back Bay may be sorted: (1) the luxury bracket of \$100,000 to \$200,000 purchase prices or \$400/month rental; (2) the middle rental bracket of \$150-\$300/month (childless middle-class couples, and groups of students or working people teaming up to pay rentals); (3) the \$100/month rental and below bracket, met by rooming houses and shabby small apartments.

It seems safe to assume that a demand exists for luxury units (certainly no knowledgeable developer would build 200 new units, unless he was quite sure of the market). Further, the highest demand seems to be for "low concern" units; i.e., units into which one can move directly without the worries of rehabilitation, and without the bother of management or maintenance.

There is also a demand for middle rental units (\$150-\$350/month) which can be and is supplied by those existing buildings originally built as apartment houses, or by those which are relatively easy to rehabilitate. We intend to encourage this market and trust that it will be enlarged by a general upgrading of the area as luxury rehab becomes more widespread.

The demand for lower priced rental units is now satisfied by a supply of narrow parcel buildings originally built for owner occupancy. Our intent is to see that these townhouses are renovated by private individual owner/occupants, or be combined into blocks of buildings which can be converted into larger, higher rent apartments with modern features. We assume that the demand for lower rental units will be replaced by a demand for high or middle rent units when the area is upgraded.

We have limited the ensuing market discussion to one concerned with higher rent, luxury units, since we believe that this is the key to the question of allowing high-rise luxury towers on Beacon Street.

2. The supply of luxury housing should consist of large units with stable management and maintenance assured by the developer. This supply could arise from new construction or the careful reconstruction of existing buildings.
3. Our concern is the effect of new luxury tower development on risk as it is weighed in the mind of the potential rehab developer, whether the same person or not. We contend that this risk may appear to be too high, especially if the new development offers prestigious locations in high rise towers far above the heads of those who live in row houses.

We contend that this high apparent risk is sufficient to impede the rehabilitation that is deemed necessary by all those concerned to preserve the Back Bay residential area.

4. The final issue is that of the dollar value of property and its effect on development. We feel that the market price of Back Bay properties presently far exceeds that indicated by even the strongest capitalization of rental income. A contributor to these inflated prices is the speculative pressure present since "word got out" about the probability of high rise development in the Back Bay. Owners are holding on, waiting for higher selling prices, while not putting money into careful rehabilitation, unless it happens to be for their own occupancy.

Even the most limited, high rise development within the residential district of Back Bay will effectively prevent rehabilitation. It will raise all property prices, equity and mortgage costs; thereby prevent the rehab developer from realizing reasonable cash flows.

D. ASSUMPTIONS LEADING TO A RESTATEMENT OF POLICY
FOR DEVELOPMENT IN THE BACK BAY

1. The Back Bay is an area that is physically large enough and economically viable enough to stand as an independent residential area in the City of Boston. In spite of its problems it still remains as a prestige residential area, and requires care so as not to diminish either its physical area or the chance for the survival of its magnificent 19th century architectural heritage. If steps are taken to restore the Back Bay to its former elegance, it should not face serious competition from other residential areas of the city for those middle income persons who want to live in down-town.
2. The contradictory attitudes previously described have resulted in a development stalemate because buildings are being held speculatively, in the hope that controls will be relaxed, bit by bit, as "developer pressures" increase. If a positive policy is announced that prohibits these speculative gains by construction of higher buildings, people will begin to think about creating profit situations from the existing housing stock. If anyone is allowed to build higher, every owner will wait his turn and soon will get it. At that point, the character of the Back Bay will have been destroyed.
3. Once a decision is made to control building heights, other definite steps must be made to insure the vitality of the Back Bay. Solutions must be applied to the problems of commercial expansion, the transient student population, and lack of residential parking.

E. A RESTATEMENT OF POLICY FOR DEVELOPMENT IN THE BACK BAY

1. Zoning Actions:

(a) Extend the boundaries of jurisdiction of the Back Bay Architectural Commission to the alley between Boylston and Newbury, and to Charlesgate East.

(b) Repeal the Park Frontage Ordinance.

(c) Establish height controls which provide new development opportunities in appropriate areas and which hold existing height characteristics in areas considered essential to the structure of the Back Bay. (see Section F for specific recommendations).

2. (a) Utilize land assembly powers to make buildings and blocks of buildings available for restoration and conversion to modern living units. (See the Architectural Forum, July 69, pg. 78; and also the Bowdoin Street rehab block). Owners and abutters would be given first chance at development parcels - all costs would be paid by developers.

(b) There is ample precedent for using public-private land assembly action in this area: it was formed well over 100 years ago by using this principle.

3. Commercial Expansion: We must limit intense commercial expansion to the south side of Boylston Street. Commercial and office development on the north side should be subordinate to the residential and existing specialty retail district north of Boylston Street. The north side of Boylston Street should develop in a manner similar to Newbury Street, although in higher structures (commercial on the lower floors and office and/or residential above [structures somewhat similar to those at Center Plaza]). Discourage entertainment uses on this strip as it only increases the residential parking problem.

4. Parking: The one modern necessity lacking in the area is parking for residents. Through the use of land assembly techniques the existing alleys could be made to produce more parking spaces. New structures must provide tenant parking, and some new space will have to be made available for parking, if the area is to become fully desirable for car-using, in-town dwellers.
5. Students: It is now becoming more and more evident in Boston, Cambridge, and Brookline that students (a transient, relatively high, income group) disrupt and destroy low and moderate income neighborhoods because they have a high turnover, can afford high rents by multiple occupancy, contribute to the rapid deterioration of the structures, and aggravate the parking problem. Many landlords desire quick profit from this source and feel little responsibility to their neighbors as well. In the Back Bay students can also cause significant problems even though it is potentially a high income area. This problem must be resolved - it will not go away by itself.

(a) Steps in this direction are: Establish the Kenmore Square area from Charlesgate to Harvard Street as an in-town student area (it is that already). Encourage the schools and private developers to build new student housing containing apartments specially suited to student needs. Encourage the schools and private developers to establish the same type of development in "University cities" on rapid transit lines and on open space.

(b) Establish occupancy limits or square footage per person requirements for residential buildings, and enforce the building code provisions violated by rooming house operators.

(c) Utilize the previously mentioned land assembly techniques to discourage those landlords taking advantage of student demand.

(d) The parking problem would probably be significantly eased if student population and associated entertainment places on Boylston Street were encouraged to concentrate closer to B.U. This would cause a parking problem in the new location, but would then more obviously be the problem of the institutions.

(e) Discourage the growth of institutional use within the Back Bay. Encourage schools to work with Boston's planners to locate their facilities in areas having the capability to contain student housing and educational and recreational activity.

F. URBAN DESIGN RECOMMENDATIONS FOR ZONING

1. Arlington Street: The main consideration here is the relationship of the Back Bay to the Public Garden. While high rise construction might be compatable with the large amount of open space offered by the Garden, it would constitute a substantial break in continuity and scale when viewed from the interior of the Back Bay, and thereby block its visual connection to the Garden.

Two towers on the Commonwealth Avenue corners are far less serious, but are by no means a "design necessity," and probably cannot be sanctioned legally (since they are contingent upon the Park Frontage Ordinance and spot zoning considerations).

We recommend the imposition of a 100' building height limit - one consistent with the existing structure.

2. Commonwealth Avenue: Architect Fredric Law Olmstead's mall is a vital attribute of the Back Bay, and is dependent upon the continuous facade and size of the abutting buildings.

The Parks Frontage Act should certainly be repealed, and be supplanted by zoning height controls of 70'/90' which encourage rehabilitative efforts.

3. Marlboro Street: Its continuity and residential character should be retained through the 70/90 foot height restriction as well.
4. Beacon Street: Its proximity to the River provided encouragement for the construction of many of the Back Bay's best dwellings. (of which up to 50% could be destroyed by the proposed corner development.) The successful enforcement of a 100 foot height limit here will serve to encourage the beginning of careful rehabilitation. The presence of two ungainly pieces of new development (both at 160 feet height) serves as a good

example of the wholesale parcel acquisition necessary to satisfy the existing codes floor/area ration (F.A.R.).

5. Boylston Street: South Side - This is an area suitable for high buildings, and we assume that proposals will be made for any available land. Our main concern is that any building fronting on Copley Square shall respect the scale of Trinity Church and the square itself. North Side - We recommend that new height controls be established which will allow the proper mixed used development necessary in this more marginal area of Back Bay. These seem to lie in the 155 to 200 foot range. (The blocks fronting on Copley Square from Clarendon to Exeter at 155 feet; and those between Arlington and Berkley, and Hereford and Massachusetts Avenue at 200+ feet, due to considerations of activity, density and access, as well as the air-rights problem over the Turnpike in the latter case). The latter two blocks present an opportunity for through block development to Newbury.
6. Newbury Street: Since new construction of 160 feet to 200 feet on Boylston Street will directly effect (traffic, access, shadow, etc) the development of Newbury Street, we recommend the extension of the jurisdictional boundary of the Back Bay Architectural Commission to insure the continued quality of this street. Preferred uses at street levels will continue to be retail, commercial, with office and housing above. Parking for this and Boylston Street properties will need careful study and could be effectively regulated by the Architectural Commission.
7. Massachusetts Avenue: A height of 120 feet (except at the Boylston Street intersection) is suggested since it is consistent with the existing structures, and recognizes the increased accessibility of Mass Ave while not presenting a wall separating the area to the west from the body of the Back Bay.
8. Charlesgate East: 200 feet seems to be a reasonable height limit here. Abutting the interchange, it is the obvious physical boundary of the Back Bay and would serve as the reservoir for more student housing in the area west of Mass Ave already largely so populated.

G. THE BACK BAY IN THE CONTEXT OF "THE NEW BOSTON"

Too many discussions on the subject of development in the Back Bay have overtones of lack of faith in the economic viability of the area. In our opinion, the strengths of the Back Bay are constantly underrated. Compromises are suggested which nibble away at the physical structure of the area. To diminish the physical size of the recognizable Back Bay environment or to replace some of the buildings which form its fabric is to diminish its strength as a reservoir of high quality in-town housing.

Six years ago many members of the downtown real estate community strongly disagreed with the formulation of the CBD plan which projected 1.2 million square feet of new office space by 1975. They believed that the market was saturated and could stand no disruption. One can understand their position; most had experienced a very long period of stagnation and believed that the area was moribund. Today we have about 10 million square feet of new office space either complete or under construction in the CBD and an equal amount is on the drawing boards.

We are presently in the midst of a downtown office building boom which will have a positive impact on adjacent residential areas. The Back Bay has experienced a long period of stagnation and has suffered incursions from institutions and students. We do not believe, however, that the area is moribund and needs injections of new development to survive. The architectural and residential quality of the Back Bay is easily the equal of Georgetown, Greenwich Village, the prestige areas of San Francisco, and of Beacon Hill. There should be no compromise on this area.

Warner cd. request temporary
moratorium for BBAC - no
demolition for 6 mos.

H. IMMEDIATE NEXT STEPS

- 1.. Clearly establish that the primary planning objective in the Back Bay is the preservation of the residential district and Newbury Street. Announce our intention to establish a strong and definite zoning envelop for the Back Bay. Declare a moratorium on tower construction.
2. Initiate a new real estate study for the area, which proceeds from the assumption that the market and confidence in the area has changed in the past three years as has happened in the rest of downtown.
 - (a) Determine what portion of the increase in property cost is due to:
 - 1) Speculation in anticipation of tower construction.
 - 2) The fact that some properties are zoned for commercial use.
 - 3) Owner - Occupants (town-houses).
 - 4) Good rehabilitation prospects.
 - (b) Establish patterns of stability in ownership and use.
 - (c) Formulate projections of demand for various types of housing and rent levels. Investigate current rent levels.
3. Extend and complete the rehabilitation study started by Chapman and Goyette, in order to test reasonable alternatives to new high-rise construction for high income families. Include an investigation of the assembly of several parcels for a modern luxury building. Perform cash-flow development analyses for these alternates.
4. Thoroughly investigate the legal possibilities for control, including the establishment of "spot-zoning" sites for acceptable high-rise locations. We believe that "spot-zoning" is a dangerous device in this situation, since speculative pressures will continue in anticipation of future "spot-zoning" actions.
5. Investigate the possible methods of public-private land assembly and apply them to actual test situations in the area.
6. Continue to study the planning-preferred locations for new, high-rise, high income housing on a city-wide basis.

